

United States Court of Appeals  
For the Eighth Circuit

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No. 12-3400

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Tommie Dawson

*Plaintiff - Appellant*

v.

Wells Fargo Corporation

*Defendant - Appellee*

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Appeal from United States District Court  
for the District of Minnesota - Minneapolis

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Submitted: March 7, 2013

Filed: March 13, 2013

[Unpublished]

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Before MURPHY, SMITH, and COLLOTON, Circuit Judges.

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PER CURIAM.

Tommie Dawson appeals the district court's<sup>1</sup> dismissal of his civil complaint. After careful review, we conclude that the dismissal was proper. Dawson's Title VII

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<sup>1</sup>The Honorable Michael J. Davis, Chief Judge, United States District Court for the District of Minnesota.

claim was untimely, and there was no basis for tolling the time limits. See 42 U.S.C. § 2000e-5(f)(1) (civil action may be brought within 90 days of right-to-sue notice). Dawson also failed to state a fraud claim, because he did not allege that *he* acted in reliance on any false representation. See Northstar Indus., Inc. v. Merrill Lynch & Co., Inc., 576 F.3d 827, 832 (8th Cir. 2009) (to establish fraud under Minnesota law, plaintiff must show, inter alia, that false representation by party caused other *party* to act in reliance thereon). Accordingly, we affirm. See 8th Cir. R. 47B.

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